

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DERYL DION MORROW,

Plaintiff,

vs.

Civ. 09-395 JCH/RHS

SANTA FE BOYS & GIRLS CLUBS,

Defendant.

**ORDER GRANTING DEFENDANT SANTA FE BOYS AND GIRLS
CLUBS, INC.'S MOTION TO COMPEL DISCOVERY
RESPONSES BY PLAINTIFF**

THIS MATTER comes before the Court on Defendant Santa Fe Boys and Girls Clubs, Inc.'s Motion to Compel Discovery Responses by Plaintiff [docket no. 65]. The Court has now considered the Motion together with Plaintiff's Response thereto (docket no. 73) and Defendant's Reply (docket no. 81) as well as all of the pleadings on file in the above-captioned cause and hereby concludes that the Motion is well-taken and should be granted. In response to the Motion, Plaintiff argues that he has previously produced documents which are responsive and/or he cannot provide responsive information. The Court recognizes that if documents were produced in response to previous or other discovery requests, the production pursuant to the instant motion would be duplicative, however, the Court feels that it is appropriate to require the production whether it has been previously produced or not.

IT IS THEREFORE ORDERED that Defendant Santa Fe Boys and Girls Clubs, Inc.'s Motion to Compel Discovery Responses by Plaintiff [docket no. 65] is hereby granted and Plaintiff is ordered and directed to respond fully and completely to Defendant's Second Request

for Production No. 14, Second Request for Production No. 16, Second Request for Production No. 17, Second Request for Production No. 19, and Defendant's Interrogatory No. 2 to the extent that Plaintiff shall update his employment information including all earnings from Plaintiff's employment with Mr. Carl. Plaintiff is respectfully directed to refrain from reference to production of these materials and documents in response to other discovery requests and Plaintiff is asked to respond fully and completely to each request for production and interrogatory set forth in Defendant's Motion to Compel (docket no. 65).

Plaintiff's responses to the discovery ordered herein shall be completed on or before November 19, 2010.

Each party shall bear and pay their respective attorney's fees and costs relative to this Motion.

Robert Hayes Scott
ROBERT HAYES SCOTT
UNITED STATES MAGISTRATE JUDGE